

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

In re:		Case No. 23-51742-cag
CINCH WIRELINE SERVICES, LLC	§	
Debtor	§	
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JOHN PATRICK LOWE, CHAPTER 7	§	
TRUSTEE FOR CINCH WIRELINE	§	
SERVICES, LLC	§	
Plaintiff	§	
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v.	§	
CINCH ENERGY SERVICES, LLC;	§	
CINCH INVESTMENT HOLDINGS, LLC;	§	
CES GROUP HOLDINGS, LLC; HOOK N	§	
BULL PROPERTIES, LLC; LOS CABOS	§	
RANCH, LLC; FTS RANCH, LLC; FTSJR	§	
HOLDINGS, LLC; WFO HOMES, LLC;	§	
TEXAS COAST BUILDERS, LLC; 17	§	
MAIN, LLC; GRANDER HOLDINGS,	§	
LLC; WFO, LLC; PONDER RANCH,	§	
LLC; BL EQUITY HOLDINGS,	§	
LLC; OCEAN FLOOR HOLDINGS, LLC;	§	
FRANK THOMAS SHUMATE; MARK	§	
LOPEZ; LORETTA L. HIGGINS;	§	
TIMOTHY GAINES POLLARD; JERRY	§	
MILLER and such other yet unknown	§	
Defendants (“JOHN DOE DEFENDANTS”)	§	
Defendants	§	
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**THIRD AMENDED
WITNESS AND EXHIBIT LIST OF
JOHN PATRICK LOWE, CHAPTER 7 TRUSTEE**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

NOW COMES John Patrick Lowe, Trustee (“Trustee”), the duly appointed and acting Chapter 7 Trustee in the above-captioned bankruptcy case, and hereby files its Third Amended Witness and Exhibit List to be used in connection with the Wednesday, August 14, 2024 hearing. Trustee may call the following witnesses and offer the following exhibits:

LIST OF WITNESSES

1. Frank Thomas Shumate
2. Loretta Higgins
3. Timothy Gaines Pollard
4. Israel Rodriguez
5. Any witness called by any other creditor, any other party in interest that may appear and seek to be heard at the hearing, and any rebuttal witness as may be required.
6. Any rebuttal witnesses necessary.

LIST OF EXHIBITS

Ex. #	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
1.	Declaration and Proffer of Direct Testimony of Shelby A. Jordan [Judicial Notice #90-1]				
2.	Declaration and Proffer of Direct Testimony of Ernest "Butch" Boyd [Judicial Notice #90-2]				
3.	Photos of 30 boxes from first visit to Cinch offices on 4/26/24				
4.	Photos of 80 boxes from second visit to Cinch offices on 5/7/24				
5.	Photos of sever from second visit to Cinch offices on 5/7/24				
6.	Photos of boxes of laptops and a sever from second visit to Cinch offices on 5/7/24				
7.	Commercial Contract for 5821 Agnes Street with PMI LLC with a closing date of 6/10/24 signed by Pollard				
8.	Photo of O'Finan on phone with Shumate on first visit to Cinch offices on 4/26/24				
9.	Burn Pit (Admitted as Exhibit 1 on 4/19/24 during Preliminary Injunction Hearing)				
10.	Verification signed by Shumate and notarized by Mathis from case no. 5:24-cv-00319-OLG; Docket #10				
11.	Screenshot of Cinch Server Screen				
12.	Screenshot of Cinch Server Screen				
13.	7/24/24 Letter to Dick Fuqua				

Ex. #	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
17.	Live Access to Cinch OneDrive				
18.	5/2/24 Email from L. Higgins to R. Lee Murphy				
19.	Hook N Bull LOC Statements – 9.28.18 – 8.2.24				
20.	Hook N Bull 2 nd LOC Statements – 2.6.23 – 8.1.24				
21.	Transfer from Lone Star Cement				
22.	Photo of CWS Truck - 1				
23.	Photo of CWS Truck - 2				
24.	Photo of CWS Truck - 3				
25.	US DOT Information				
	Any exhibit identified, introduced, designated or relied upon by any other party.				
	Any exhibits necessary for rebuttal or impeachment purposes.				

The Trustee reserves the right to amend this Exhibit List and to introduce other exhibits as may be necessary for impeachment purposes. The Trustee also reserves the right to introduce exhibits designated by opposing counsel.

Dated: August 9, 2024

Respectfully submitted,

/s/ Butch Boyd
 Butch Boyd
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/s/ Shelby A. Jordan
 Shelby A. Jordan
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 Antonio Ortiz
 St. Bar No. 24074839; SD. No. 1127322
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**SPECIAL COUNSEL FOR JOHN PATRICK
LOWE, CHAPTER 7 TRUSTEE**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Witness and Exhibit List was served to the below, by the CM/ECF system or by electronic mail on August 9, 2024:

Butch Boyd

Butch Boyd Law Firm, P.C.
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Assigned: 07/18/2024

representing

**John Patrick Lowe, Chapter 7
Trustee for Cinch Wireline
Services, LLC**
(Plaintiff)

Gabi S Canales

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Assigned: 05/14/2024

representing

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Assigned: 07/22/2024

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Assigned: 07/25/2024

representing

Simmons Bank
(Interested Party)

Richard L. Fuqua

Fuqua & Associates, PC
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representing

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Assigned: 04/26/2024

representing

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Assigned: 05/02/2024

representing

Mark Lopez
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(Defendant)

Assigned: 05/13/2024

representing

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(Defendant)

Paul W. O'Finan
S M Chaudhry, Esq., Attorney at Law
PLLC

representing

Frank Thomas Shumate
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Assigned: 04/24/2024
TERMINATED: 06/27/2024

Assigned: 05/08/2024

representing

(Defendant)

Timothy Gaines Pollard
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McCoy, TX 78113
(Defendant)

WFO Homes, LLC
c/o Tim Pollard, Registered Agent
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Marion, TX 78124
(Defendant)

WFO, LLC
c/o Tim Pollard, Registered Agent
146 Motts Parkway
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(Defendant)

Assigned: 05/08/2024

representing

BL Equity Holdings, LLC
c/o A Registered Agent, Inc
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(Defendant)

Assigned: 05/08/2024
TERMINATED: 06/27/2024

representing

CES Group Holdings, LLC
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Assigned: 06/03/2024

representing

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McCoy, TX 78113
(Defendant)

Hook N Bull Properties, LLC
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/s/ Butch Boyd
Butch Boyd